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## PROBATE CODE STUDY COMMISSION

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### REVISED MEETING NOTICE

The third meeting of the Probate Code Study Commission will be held on October 29, 2013. The meeting will convene at 1:00 P.M. in Room 431 of the State House, 200 W. Washington St., Indianapolis, Indiana.

The Commission will consider the following preliminary drafts concerning the policy recommendations set forth in the 2013 report of the Probate, Trust and Real Property Section of the Indiana Bar Association:

**PD 3377:** Contains the following PDs that were discussed at the October 8 meeting: PD 3144, PD 3145, PD 3148, PD 3156, PD 3204, PD 3205, PD 3112, PD 3151, PD 3152, PD 3160, PD 3165.

**PD 3206:** A "distributee" (instead of a "claimant") may dispense with administration of a small estate.

**PD 3355:** A court may order a party that fails to respond to or comply with a fiduciary's instruction to pay attorney's fees and court costs.

**The following PDs authorize legacy trusts (the differences between the PDs are noted):**

**PD 3222:** The rule against perpetuities does not apply to property in a legacy trust.

**PD 3319:** The rule against perpetuities applies to property in a legacy trust.

October 23, 2013

**PD 3322:** The rule against perpetuities does not apply to the following: (1) Personal property in a legacy trust. (2) Real property in a legacy trust that is subject to the trustee's right to sell property.

**PD 3324:** The rule against perpetuities does not apply to the following: (1) Personal property in a legacy trust. (2) Real property in a legacy trust that is subject to the trustee's right to sell property. Does the following with regard to a creditor's claim against property in a legacy trust: (1) Lengthens the statute of limitations for bringing a claim. (2) Does not bar a claim that meets the requirements for recovery under the Uniform Fraudulent Transfer Act by a preponderance of the evidence (instead of by clear and convincing evidence.)

(The meeting will be broadcast over the Internet for those unable to attend. Please visit <http://www.in.gov/legislative/2441.htm> and select the video stream for the appropriate room from the drop down list to watch the Webcast.)